

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RICHARDO ANGEL NAVARRETTE and
KELLY KESLAR,

No. C 04-00760 JSW

Plaintiffs,

**ORDER RE DISCOVERY
DISPUTE**

v.

UNITED STATES OF AMERICA, et al.,

Defendants.

By letter brief submitted to the Court on April 22, 2005, the parties set forth their respective positions on a discovery dispute regarding a deposition plaintiff Richardo Navarrette seeks to take relating to the defendant United States' amended responses to plaintiff Richardo Navarrette's requests for admissions. In an order dated December 21, 2004, the Court extended the non-expert discovery cutoff for fact discovery on issues that the United States specifically denied in its amended responses to requests for admissions until March 11, 2005. Based on that deadline, Navarrette had until March 22, 2005 to bring this discovery dispute to the Court's attention. *See* Civ. L.R. 26-2 (motion to compel must be filed within 7 court days after discovery cut-off). Navarrette did not move to extend the discovery deadline nor provide sufficient justification for bringing the instant discovery dispute to the Court's attention one

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1 month late. The Court therefore DENIES Navarrette's request to compel the deposition as
2 untimely.

3 **IT IS SO ORDERED.**

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5 Dated: April 26, 2005

/s/ Jeffrey S. White
JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE